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On Nov. 19, 2002

TOWNSEND and TOWNSEND and CREW LLP

By: Patricia Andrews

10/A
12/4/02
PATENT
Attorney Docket No.: 019916-003810US
Client Ref. No.: 0009.20

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TECH CENTER 1600/2900

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Stephen A. Empedocles, et al.

Application No.: 09/882,193

Filed: June 13, 2001

For: SINGLE TARGET COUNTING
ASSAYS USING SEMICONDUCTOR
NANOCRYSTALS

Examiner: Betty J. Forman

Art Unit: 1634

AMENDMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

This Amendment is submitted in response to the Office Action mailed July 25, 2002. A Petition for a one-month extension of time is submitted concurrently herewith in a separate paper to extend the time for response to on or before November 25, 2002. Applicants respectfully request reconsideration of the above identified application in view of the following amendments and remarks. Please amend the application as follows:

IN THE SPECIFICATION:

Please insert the following replacement paragraph starting at page 1, line

11/27/2002 MAHME1 00000122 201430 09882193
02 FC:2201 42.00 CH
11/27/2002 MAHME1 00000122 201430 09882193
03 FC:2202 117.00 CH



Please type a plus sign (+) inside this box → +

Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
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FORM**

(to be used for all correspondence after initial filing)

Application Number	09/882,193
Filing Date	June 13, 2001
First Named Inventor	Empedocles, Stephen Alexander
Group Art Unit	1634
Examiner Name	Betty J. Forman
Attorney Docket Number	019916-003810US

Total Number of Pages in This Submission

ENCLOSURES (check all that apply)

- | | | |
|---|---|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form
<input type="checkbox"/> Fee Attached
<input checked="" type="checkbox"/> Amendment / Reply
<input type="checkbox"/> After Final
<input type="checkbox"/> Affidavits/declaration(s)
<input checked="" type="checkbox"/> Extension of Time Request
<input type="checkbox"/> Express Abandonment Request
<input type="checkbox"/> Information Disclosure Statement
<input type="checkbox"/> Certified Copy of Priority Document(s)
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Assignment Papers (for an Application)
<input type="checkbox"/> Drawing(s)
<input type="checkbox"/> Licensing-related Papers
<input type="checkbox"/> Petition
<input type="checkbox"/> Petition to Convert to a Provisional Application
<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address
<input type="checkbox"/> Terminal Disclaimer
<input type="checkbox"/> Request for Refund
<input type="checkbox"/> CD, Number of CD(s) | <input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):

Return Postcard |
|---|---|--|

Remarks

The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm and Individual name	Townsend and Townsend and Crew LLP Carol A. Fang	Reg. No. 48,631
Signature		
Date	November 19, 2002	

CERTIFICATE OF MAILING

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11/19/02

Typed or printed name	Patricia Andrews	Date	November 19, 2002
Signature			

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SF 1407836 v1

TECH CENTER 1601/2900

DEC 0 2 2002

FEE TRANSMITTAL for FY 2003

Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 214

Complete If Known

Application Number 09/882,193
 Filing Date June 13, 2001
 First Named Inventor Empeodices, Stephen Alexander
 Examiner Name Betty J. Forman
 Group Art Unit 1634
 Attorney Docket No. 019916-003810US

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TECH CENTER 1600/29C

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

20-1430

Deposit Account Name Townsend and Townsend and Crew LLP

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments
☒ Charge any additional fee(s) during the pendency of this application
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1001	740	2001	370	Utility filing fee	
1002	330	2002	165	Design filing fee	
1003	510	2003	255	Plant filing fee	
1004	740	2004	370	Reissuance filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fees from below	Fee Paid
31	-18** = 13	\$369	\$117
4	-3** = 1	\$42	\$42
Multiple Dependent	X		

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description
1202	18	2202	9	Claims in excess of 20
1201	84	2201	42	Independent claims in excess of 3
1203	280	2203	140	Multiple dependent claim, if not paid
1204	84	2204	42	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$159)

*or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES

Large	Entity	Small	Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051	130	2051	65			Surcharge - late filing fee or oath	
1052	50	2052	25			Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130			Non-English specification	
1812	2,520	1812	2,520			For filing a request for reexamination	
1804	920*	1804	920*			Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*			Requesting publication of SIR after Examiner action	
1251	110	2251	55			Extension for reply within first month	55
1252	400	2252	200			Extension for reply within second month	
1253	920	2253	460			Extension for reply within third month	
1254	1,440	2254	720			Extension for reply within fourth month	
1255	1,960	2255	980			Extension for reply within fifth month	
1401	320	2401	160			Notice of Appeal	
1402	320	2402	160			Filing a brief in support of an appeal	
1403	280	2403	140			Request for oral hearing	
1451	1,510	1451	1,510			Petition to institute a public use proceeding	
1452	110	2452	55			Petition to revive - unavoidable	
1453	1,280	2453	640			Petition to revive - unintentional	
1501	1,280	2501	640			Utility issue fee (or reissue)	
1502	460	2502	230			Design issue fee	
1503	620	2503	310			Plant issue fee	
1460	130	1460	130			Petitions to the Commissioner	
1807	50	1807	50			Petitions related to provisional applications	
1806	180	1806	180			Submission of Information Disclosure Sheet	
8021	40	8021	40			Recording each patent assignment per property (times number of properties)	
1809	740	2809	370			Filing a submission after final rejection (37 CFR § 1.129(d))	
1810	740	2810	370			For each additional invention to be examined (37 CFR § 1.129(b))	
1801	740	2801	370			Request for Continued Examination (RCE)	
1802	900	1802	900			Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid SUBTOTAL (3)

(\$55)

SUBMITTED BY

Name (Print/Type) Carol A. Fang

Registration No. (Attorney/Agent) 48,631

Signature

Carol A. Fang

Telephone 415-576-0200

Date

November 19, 2002

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